

Gateway Determination

Planning Proposal (Department Ref: PP_2017_CCOAS_008_00): to rezone and apply development standard provisions to part of a site at 8 Ocean Palms Close, Wamberal for residential purposes.

I, the Acting Executive Director, Regions at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Gosford Local Environmental Plan (LEP) 2014 to rezone and apply development standard provisions to part of a site at 8 Ocean Palms Close, Wamberal for residential purposes should proceed subject to the following conditions:

1. Council is to update the Planning Proposal prior to community consultation to:
 - broaden the Statement of Objectives to confirm the Planning Proposal seeks to allow the creation of an urban sized lot on the eastern portion of the site (this will allow alternative planning instrument solutions to be considered);
 - discuss the suitability for creating a split-zoned site under two planning instruments and any potential implications for any future development application to subdivide the land;
 - consider alternate means of achieving the revised objectives of the Planning Proposal (eg. zone the entire lot with standard instrument zones and development standards); and
 - include maps of the proposed LEP amendments.
2. Council is to update its consideration of the consistency with the following section 117 Directions and State Environmental Planning Policies (SEPPs) after supporting information has been obtained and/or following agency consultation:
 - 2.3 Heritage Conservation;
 - 4.4 Planning for Bushfire Protection; and
 - SEPP 55 Remediation of Land.
3. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the Planning Proposal must be made publicly available for a minimum of **14 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of Planning Proposals and the specifications for material that must be made publicly available along with Planning Proposals as identified in section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).

4. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant section 117 Directions:

- NSW Rural Fire Service; and
- Transport for NSW – Roads and Maritime Authority.

Each public authority is to be provided with a copy of the Planning Proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated

26

day of

July

2017



Anthea Sargeant
Acting Executive Director, Regions
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning